

# Exhibit 63

In Quebec, the Commission de la santé et de la sécurité du travail (Commission of health and occupational safety) provides a 'toxicological service' to employee's and workers by providing information on the chemicals and biological materials used in work environment. The 'Service' is composed of "a multidisciplinary scientific team specialized in chemistry and toxicology which enables them to provide a wide range of information in health and occupational safety."

Apparently in 1998, the Service evaluated talc (not containing asbestos) and assigned it a "D2A" WHMIS classification – very toxic material having other toxic effects. They allegedly based this rating on the 1992 NTP Talc Inhalation study results in which there was some diminishment in pulmonary function in rats exposed to 6 mg/m<sup>3</sup> respirable talc dust.

Clearly, Luzenac disagrees with this rating. The correct rating should be D2B – 'Toxic' due to the potential of pneumoconiosis after chronic exposure. The assignment of "very toxic" to talc dust is simply absurd.

In practice, this subclass designation has little actual impact on labels or MSDS's. Division 2 of Class D has two subclasses called D2A (very toxic) and D2B (toxic), but it is not a regulatory requirement for the WHMIS sub-classification to be reported on the Material Safety Data Sheet (MSDS) nor is it a requirement for classes D2A or D2B to be distinguished on the label. Luzenac America talc bag labels have displayed the required "T" since the late 1980's.



Despite the fact that this D2A rating has been 'on the books' in Quebec for over 4 years, none of Luzenac customers have questioned the D2B classification contained in LNA's MSDS's. Nonetheless, LNA will attempt to persuade the Commission de la santé et de la sécurité du travail to change their talc rating to D2B. LNA plans to utilize the Center for Regulatory Effectiveness and Dr. Al Wehner to bring about this desired result.

Briefly, to qualify for either A or B under D2, a substance must have elicited "a response [causing chronic toxic effects] of sufficient severity to threaten life or cause serious permanent impairment in a statistically significant proportion of the test population . . . ." The difference between the A and B classifications depends on the animal dose which shows such effects, as well as types of effects. For A, the dose must be equal to or under 10-25 mg/kgbw/day using specified test guidelines; for B, the dose must be over 10-250 mg/kgbw/day using specified test guidelines. The A classification also specifically includes carcinogenicity, mutagenicity, and teratogenicity in addition to the broad category of "chronic toxic effects". The B classification can apply to certain less serious impairments such as skin or eye irritation or skin sensitization if certain test guideline results are seen. I did not find any reference to impairment of pulmonary function in relation to either classification.

The mandate of the Service of the toxicological repertory of the Commission of the health and the occupational safety (CSST) consists in providing information on the chemicals or biological used in work environment. This information allows the employers and the workers québécois to better know the health risks and the safety which the products present that they use, thus supporting the installation of adequate means of prevention.

It also provides information specific concerning the Information system on the dangerous matters used to work (SIMDUT) and offers to the speakers in health and occupational safety a support specialized for their interventions. Its customers Any interested person to obtain information on the products used in work environment can call upon our services. They can be in particular employers, workers, committees of health and safety of the establishments, of equal sectoral associations, employers' and trade-union associations, speakers of the public network in health at the work, of the personnel of the CSST or the IRSST.

The Service of the toxicological repertory proposes to its customers an access to her bank of data on the chemicals or biological. Find themselves under various topics of the information presented in a popularized form, as well as specialized data. In this way the user can reach complete or fragmentary information on more than 8 000 products. This information concerns, for example, the physical characteristics of a product, its toxic effects, its specific effects such cancer, the means to take to protect itself and the regulation applicable to Québec.

Three various formats of information are proposed: the format presented by defect, which gathers the whole of the information colligés available on the product; a Summarized format, available in French and English, which is a synthesis of the principal risks arising out of the product; a format PMSD which gives access useful information to make a decision concerning the application of the program For a maternity without danger. In order to answer the various requests for information and to provide information on the commercial products used to Québec, one can also have recourse to a service of consultation per telephone. The professionals of the Service offer councils and recommendations concerning the use sedentary of the products and if necessary, can approach steps the suppliers to collect relevant information. Thus, more than 5 000 requests for information are treated annually.

Its team, her operation The Service of the toxicological repertory is composed of a multidisciplinary team scientific specialized in chemistry and toxicology, which enables him to provide a wide range of information in health and occupational safety. In order to make available the information on the chemicals or biological, the collige team and analyzes scientific documentation and determines the risks which the products for health and safety present. With this intention, the professionals reach a multitude of sources of information like general or specialized documentation, specific data bases, articles published in scientific reviews, etc. Moreover, in order to give a fast response to the requests concerning the commercial products, the professionals can reach information on more than 100 000 commercial products colligés in the bank of data of the Service. The request handling of information is done according to a set of priorities. Thus, the requests concerning the refusal of work and the program For a maternity without danger are treated in a priority way, within 24 hour generally. The other requests are treated as soon as possible and one can expect a response within a few day.

**Nyral 200 WHMIS (Canada) CLASS D-2B: Material causing other toxic effects (TOXIC).**

This product has a WHMIS classification of D2B.